

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN THE MATTER OF:
JULIO E. RIVERA-RAMOS
NIXALIZ CRUZ-FONTANEZ
Petitioner (s)

CASE NO: 10-09061 SEK
CHAPTER 13

NOTICE OF MODIFY PLAN

TO THE HONORABLE COURT:

COME (S) NOW, debtor(s) through the undersigned attorney and respectfully state(s), allege(s) and pray(s) as follows:

1. Debtors original plan was dated and filed 09-30-2010 (docket #2)
2. That debtor(s) is submitting an amended plan dated December 1, 2010 with this Notice.

Therefore debtor propose:

- a. To increase plan base. Now debtor propose the following plan payment:
 - i. Debtor paid \$165.00 during the first five (5) month (from October 2010 to February 2011),
 - ii. Debtor paid \$357.00 during the remainning fifty five (55) months (March 2011 to September 2015)
 - iii. Proposed base plan in the amount of \$20,460.00
 - b. To eliminate tax refund provision.
3. That the plan herein attached complies with the provisions of the Chapter 13 and all other applicable provisions of title 11 of the United States Code. The plan has been proposed in good faith and not by any means forbidden by law. The value as of the effective date of the plan, of property to be distributed under the plan on account of each allowed unsecured claims is not less than the amount that would be paid on such claims if the estate of the debtor were liquidated under chapter 7 of the Bankruptcy Code on such date; and Debtor will be able to make all payments under the plan and to comply with the plan.

WHEREFORE, it is respectfully requested from this Honorable Court to: ORDER THE CONFIRMATION OF DEBTOR(S) AMENDED PLAN ACCORDINGLY.

NOTICE

Within twenty one (21) days after service as evidence by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the objection will be deemed unopposed and may be granted unless: (1) the requested relief is forbidden by law. (2) The requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise. If you file a timely response, the court may-in its discretion-schedule a hearing.

WE HEREBY CERTIFY that on this same date and by electronic CM/EC filing system, copy of this Notice has been sent to Mr. Alejandro Oliveras Esq., Chapter 13 Trustee, PO Box 9024062, Old San Juan Station, San Juan, PR 00902-4062 and to all interested parties mentioned in attached Master Address List.

Respectfully Submitted

In San Juan, Puerto Rico, this December 01, 2010

JAIME RODRÍGUEZ LAW OFFICE, PSC
Attorney for Petitioner(s)
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ELECTRONICALLY FILED
S/ Jaime Rodríguez-Pérez,
USDC- PR 221011

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DEBTOR'S VERIFICATION

I (We) declare under penalty of perjury that I (we) had (have) read the foregoing motion and also has been explained to me (us), and that the averments therein contained are true and correct to the best of my (our) knowledge, information and belief.

/s/ JULIO E. RIVERA-RAMOS
Date: 12-01-2010

/s/NIXALIZ CRUZ-FONTANEZ
Date: 12-01-2010

**United States Bankruptcy Court
District of Puerto Rico**

IN RE:

Case No. **10-09061-13**

RIVERA RAMOS, JULIO E & CRUZ FONTANEZ, NIXALIZ

Chapter **13**

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input checked="" type="checkbox"/> AMENDED PLAN DATED: 12/01/2010	
<input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ 165.00 x 5 = \$ 825.00 \$ 357.00 x 55 = \$ 19,635.00 \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ \$ _____ x _____ = \$ _____ TOTAL: \$ 20,460.00 Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ _____ <input type="checkbox"/> Other: _____ _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ PROPOSED BASE: \$ 20,460.00	II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. Banco Popular Cr. Eurobank Cr. _____ # CLAIM 2-1 # CLAIM 1-1 # _____ \$ 7,912.98 \$ 3,825.34 \$ _____ 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: Banco Popular Eurobank C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) LQV - \$3,055.00 - PV - \$3,544.00 1. DEBTOR, PURSUANT 11 USC 365, 1322 (b) (7) AND FBR 6006 GIVES NOTICE THAT THEY ASSUME LEASE CONTRACT ENTERED WITH LESSOR EUROBANK, ACCOUNT NUMBER 559222 THE LEASE CONTRACT EXPIRES FEBRUARY 2, 2011.
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,700.00	
Signed: <u>/s/ JULIO RIVERA RAMOS</u> Debtor <u>/s/ NIXALIZ CRUZ FONTANEZ</u> Joint Debtor	

Attorney for Debtor **Jaime Rodriguez Law Office, PSC**

Phone: **(787) 797-4174**

MASTER ADDRESS LIST

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